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November 2, 2021

Via ECF and Email

The Honorable John P. Cronan
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Wells Fargo Bank, National Association, as Trustee for Morgan Stanley Bank of America Merrill Lynch Trust 2013-C9, Commercial Mortgage Pass-Through Certificates, Series 2013-C9 v. 700 Milford Holdings LLC, et al.*, 1:21-cv-06059-JPC

Dear Judge Cronan:

We are counsel for Wells Fargo Bank, National Association, as Trustee for Morgan Stanley Bank of America Merrill Lynch Trust 2013-C9, Commercial Mortgage Pass-Through Certificates, Series 2013-C9 (“Plaintiff”) in the above-referenced action.

Plaintiff yesterday timely filed its second amended complaint (the “Second Amended Complaint”) as required pursuant to the Court’s memo endorsement and order dated October 22, 2021 granting Plaintiff’s request to extend its deadline to file a second amended complaint to November 1, 2021. During the course of filing, we properly chose the ECF filing event category “Amended Complaint” for this document. However, we today received an electronic notification from the Clerk’s office that we need to re-file our Second Amended Complaint under a slightly different filing category (which we of course are prepared to do) but that we can only re-file this pleading with express leave of the Court, because it is no longer November 1. Accordingly, we respectfully request leave of the Court, as directed by the Clerk’s office, to refile the Second Amended Complaint that was previously filed on November 1, 2021.

We have spoken with counsel for 700 Milford Holdings LLC and David Werner, the only parties appearing to date, and they have advised us that they consent to this request.

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We thank Your Honor for your attention to this matter.

Respectfully yours,

/s/ Janice Mac Avoy

Janice Mac Avoy

cc: Counsel of Record (via ECF)

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